

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MIKE MACEIRA,

Plaintiff,

v.

COMMISSIONER SOCIAL
SECURITY ADMINISTRATION,

Defendant.

No. CV 06-6053-PK

OPINION & ORDER

MOSMAN, J.,

On March 12, 2007, Magistrate Judge Papak issued Findings and Recommendation ("F&R") (#15) in the above-captioned case recommending the Commissioner's decision finding Mr. Maceira not disabled be reversed and remanded for an immediate award of benefits. No objections were filed.

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The district court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. Where objections have been made, I conduct a *de novo* review. 28 U.S.C. § 636(b)(1)(C). However, I am not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate

judge to which no objections are made. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Upon review, I agree with Judge Papak's recommendation, and I ADOPT the F&R as my own opinion.

IT IS SO ORDERED.

DATED this 11th day of April, 2007.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Judge